

# **Texas Commission On Environmental Quality**

## **AGENDA ITEM REQUEST**

**AGENDA REQUESTED:** July 28, 2010

**DATE OF REQUEST:** May 25, 2010

**NAME & NUMBER OF PERSON TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED:** Barbara Mayer at 239-4739

**CAPTION:** Docket No. 2010- 0847-MIS. Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts by certain state agencies. [Kasey Feldman]

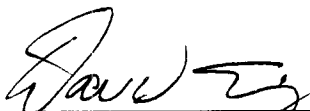
**Chief Clerk must send Notice of Application/Hearing:**

**Type of Matter:**

**County:**

**Uncontested:**

**Contested:**



\_\_\_\_\_  
**David Timberger, Director**  
**General Law Division**

## **CHAPTER 575. ACCEPTANCE OF GIFT BY STATE AGENCY**

### **§ 575.001. Definitions**

In this chapter:

(1) "Gift" means a donation of money or property.

(2) "State agency" means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive or judicial branch of state government. The term does not include an institution of higher education as defined by Section 61.003, Education Code.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.002. Gifts of \$500 or More**

This chapter applies only to a gift that has a value of \$500 or more.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.003. Acceptance of Gift by State Agency Governing Board**

A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 143, § 1, eff. Sept. 1, 1999.

### **§ 575.004. Record of Gift**

A state agency that accepts a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in:

(1) the minutes of the governing board of the agency; or

(2) appropriate agency records, if the agency does not have a governing board.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.005. Acceptance of Gift From Party to Contested Case Prohibited**

A state agency may not accept a gift from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final under Section 2001.144. In this section, "contested case" has the meaning assigned by Section 2001.003.


Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.


# Texas Commission On Environmental Quality


## INTEROFFICE MEMORANDUM

**To:** Mark R. Vickery, P.G.  
Executive Director

**Date:** June 25, 2010

**From:**  Kasey Feldman, Personnel Attorney  
General Law Division

 David Timberger, Director  
General Law Division

 Stephanie Bergeron Perdue, Deputy Director  
Office of Legal Services

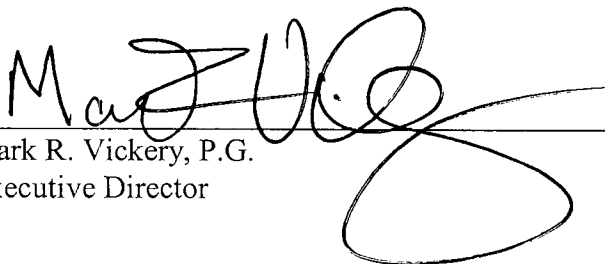
**Caption:** **Docket No. 2010-0847-MIS.** Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90<sup>th</sup> day after the date the gift is accepted. Chapter 575 further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

Before the Commission can acknowledge the acceptance of gifts and donations with a value of \$500 or more listed in Exhibit "B", the gifts must be accepted by the agency.

A list of gifts and donations is attached as Exhibit "B." A Declaration of Third Party Reimbursement form is submitted for each gift or donation listed in Exhibit "B." The Declaration of Third Party Reimbursement forms are attached as Exhibit "C." Your signature below is needed to "accept" the aforementioned and referenced exhibits. We recommend you sign this form and accept the gifts.

I acknowledge and accept the gifts listed in Exhibit "B", on behalf of the Texas Commission on Environmental Quality.

  
Mark R. Vickery, P.G.  
Executive Director

Date: 7-6-10

# **Exhibit A**

## **CHAPTER 575. ACCEPTANCE OF GIFT BY STATE AGENCY**

### **§ 575.001. Definitions**

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A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

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### **§ 575.005. Acceptance of Gift From Party to Contested Case Prohibited**

A state agency may not accept a gift from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final under Section 2001.144. In this section, "contested case" has the meaning assigned by Section 2001.003.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

# **Exhibit B**

**TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
DECLARATION OF THIRD PARTY REIMBURSEMENT**

Over \$500.00

March 2010 through June 2010

| REIMBURSING<br>ORGANIZATION  | TRAVELERS<br>NAME | DATES OF<br>TRAVEL | DESTINATION      | PURPOSE OF TRIP   | REIMBURSED | REIMBURSED<br>TOTAL |
|--|-------------------|--------------------|------------------|---|------------|---------------------|
| Association of State<br>Drinking Water<br>Administrators (ASDWA)                   | Johnson, Nobel E. | 04/26/10-04/30/10  | Baton Rouge, LA  | EPA Region 6 area wide Multi State Quarterly<br>Training and Planning Meeting |            | \$633.96            |
|  |                   |                    |                  | Meals:  | \$86.48    |                     |
|  |                   |                    |                  | Lodging:  | \$447.48   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$100.00   |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials              | Posnick, Allan    | 03/09-03/12/10     | Jacksonville, FL | Attend Federal Facilities Managers<br>Symposium                               |            | \$750.49            |
|  |                   |                    |                  | Public Transport:   | \$45.00    |                     |
|  |                   |                    |                  | Air:  | \$264.90   |                     |
|  |                   |                    |                  | Meals:  | \$106.77   |                     |
|  |                   |                    |                  | Lodging:  | \$264.00   |                     |
|  |                   |                    |                  | Parking:  | \$28.00    |                     |
|  |                   |                    |                  | Personal Mileage:   | \$7.50     |                     |
|  |                   |                    |                  | Hotel Taxes:  | \$34.32    |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials<br>(ASTSWMO) | Forbes, Ashley    | 03/09/10-03/12/10  | Jacksonville, FL | Participate in ASTSWMO Federal Facilities<br>Managers Symposium               |            | \$884.13            |
|  |                   |                    |                  | Public Transport:   | \$58.00    |                     |
|  |                   |                    |                  | Air:  | \$332.80   |                     |
|  |                   |                    |                  | Meals:  | \$143.01   |                     |
|  |                   |                    |                  | Lodging:  | \$298.32   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$21.00    |                     |
|  |                   |                    |                  | Cab Tip & Bag Fee:  | \$31.00    |                     |

*Sold*

Association of State and Tribal Waste Management Officials      Greer, David      03/22/10-03/25/10      Arlington, VA      EPA National Resources Conservation Challenge (RCC) Training Workshop      \$1,391.81

Air: \$394.80  
Meals: \$158.20  
Lodging: \$747.51  
Parking: \$28.00  
Baggage Fee: \$50.00  
Personal Mileage: \$13.30

Environmental Council of States (ECOS)      Blanchard, George C.      04/19/10-04/22/10      Chicago, IL      National Environmental Information Exchange Network (NEIEN) National Conference      \$871.79

Air: \$235.40  
Meals: \$116.78  
Lodging: \$491.61  
Parking: \$28.00

Mote Marine Lab      Jenkins, Allison      05/09/10-05/13/10      Tampa/Sarasota, FL      Mercury Forum-Gulf of Mexico Alliance      \$629.04

Rental Car: \$64.20  
Air: \$286.60  
Meals: \$82.19  
Lodging: \$143.84  
Parking: \$21.00  
Personal Mileage: \$25.81  
Tolls: \$5.40



[illegible]

# **Exhibit C**

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Noble E. Johnson

(2) Dates of Travel: April 26-30, 2010

(3) Destination: Baton Rouge, LA

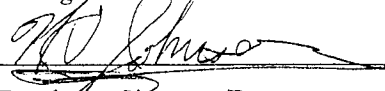
(4) Purpose: EPA Region 6 Area Wide Multi-State Quarterly Training and Planning Meeting

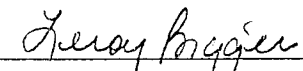
(5) Reimbursing Organization: Association of State Drinking Water Administrators (ASDWA)

**(6) Itemized Expenses:**

| Description                     | Total       | Additional Comments |
|---------------------------------|-------------|---------------------|
| Fares:                          | \$          |                     |
| Public Transportation           | \$          |                     |
| Rental Car                      | \$          |                     |
| Air                             | \$          |                     |
| Meals                           | \$ 86.48    | Meals plus gratuity |
| Lodging                         | \$ 447.48   | Lodging plus tax    |
| Parking                         | \$          |                     |
| Other:                          |             |                     |
| Business Telephone Calls        | \$          |                     |
| Personal Vehicle Mileage        | \$ 100.00   |                     |
| Seminar Registration/Fees       | \$          |                     |
| Misc. (Describe under comments) | \$          |                     |
| Grand Total                     | \$ 633.96 ✓ |                     |

**Approval Signatures:**

(7)  05/14/2010  
Employee Signature/Date

(8)  5/17/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Allan Posnick  
(2) Dates of Travel: March 9-12, 2010  
(3) Destination: Jacksonville, FL  
(4) Purpose: Attend Federal Facilities Managers Symposium  
(5) Reimbursing Organization: Association of State and Territorial Solid Waste Mgmt Officials

**(6) Itemized Expenses:**

| Description                     | Total              | Additional Comments |
|---------------------------------|--------------------|---------------------|
| <b>Fares:</b>                   | \$                 |                     |
| Public Transportation           | \$ 45              |                     |
| Rental Car                      | \$                 |                     |
| Air                             | \$ 264.9           |                     |
| Meals                           | \$ 106.77          |                     |
| Lodging                         | \$ 264             |                     |
| Parking                         | \$ 28              |                     |
| <b>Other:</b>                   |                    |                     |
| Business Telephone Calls        | \$                 |                     |
| Personal Vehicle Mileage        | \$ 7.5             |                     |
| Seminar Registration/Fees       | \$                 |                     |
| Misc. (Describe under comments) | \$ 34.32           | Hotel taxes         |
| <b>Grand Total</b>              | <b>\$ 750.49</b> ✓ |                     |

**Approval Signatures:**

(7) Allan Posnick 5/12/10  
Employee Signature/Date

(8) Jan Wang 5/12/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

## DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Ashley Forbes  
(2) Dates of Travel: 03/09/2010 through 03/12/2010  
(3) Destination: Jacksonville, FL  
(4) Purpose: Participate in ASTSWMO Federal Facilities Managers Symposium  
(5) Reimbursing Organization: Association of State and Territorial Solid Waste Management Officials (ASTSWMO)

(6) Itemized Expenses:

| Description                     | Total                | Additional Comments                              |
|---------------------------------|----------------------|--|
| Fares:                          | \$ <u>      </u>     |  |
| Public Transportation           | \$ <u>58.00</u>      |  |
| Rental Car                      | \$ <u>      </u>     |  |
| Air                             | \$ <u>332.80</u>     |  |
| Meals                           | \$ <u>143.01</u>     |  |
| Lodging                         | \$ <u>298.32</u>     |  |
| Parking                         | \$ <u>      </u>     |  |
| Other:                          |                      |  |
| Business Telephone Calls        | \$ <u>      </u>     |  |
| Personal Vehicle Mileage        | \$ <u>21.00</u>      |  |
| Seminar Registration/Fees       | \$ <u>      </u>     |  |
| Misc. (Describe under comments) | \$ <u>31.00</u>      | \$6.00 cab gratuity; \$25.00 airline baggage fee |
| Grand Total                     | \$ <u>\$884.13</u> ✓ |  |

Approval Signatures:

(7) Ashley Forbes 5/16/10  
Employee Signature/Date  
(8) [Signature] 5/16/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on this form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: David Greer  
(2) Dates of Travel: 3/22 - 3/25/2010  
(3) Destination: Arlington, VA  
(4) Purpose: EPA National RCC Training Workshop  
(5) Reimbursing Organization: Association of State and Tribal Solid Waste Management Officials

## (6) Itemized Expenses:

| Description                     | Total        | Additional Comments |
|---------------------------------|--------------|---------------------|
| Fares:                          | \$           |                     |
| Public Transportation           | \$           |                     |
| Rental Car                      | \$           |                     |
| Air                             | \$ 394.80    |                     |
| Meals                           | \$ 158.20    |                     |
| Lodging                         | \$ 747.51    |                     |
| Parking                         | \$ 28.00     |                     |
| Other:                          | 50.00        | Airline Baggage     |
| Business Telephone Calls        | \$           |                     |
| Personal Vehicle Mileage        | \$ 13.30     |                     |
| Seminar Registration/Fees       | \$           |                     |
| Misc. (Describe under comments) | \$           |                     |
| Grand Total                     | \$ 1391.81 ✓ |                     |

## Approval Signatures:

(7) David Greer 4/19/2010

Employee Signature/Date

(8) [Signature] 4/19/10

Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

10998 001013 10051-0

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: George G Blanchard

(2) Dates of Travel: April 19 – April 22, 2010

(3) Destination: Chicago

(4) Purpose: National Environmental Information Exchange Network (NEIEN) National Conference

(5) Reimbursing Organization: Environmental Council of States (ECOS)

## (6) Itemized Expenses:

| Description                     | Total              | Additional Comments |
|---------------------------------|--------------------|---------------------|
| <b>Fares:</b>                   | \$                 |                     |
| Public Transportation           | \$                 |                     |
| Rental Car                      | \$                 |                     |
| Air                             | \$ 235.40          |                     |
| <b>Meals</b>                    | \$ 116.78          |                     |
| <b>Lodging</b>                  | \$ 491.61          |                     |
| <b>Parking</b>                  | \$ 28.00           |                     |
| <b>Other:</b>                   |                    |                     |
| Business Telephone Calls        | \$                 |                     |
| Personal Vehicle Mileage        | \$                 |                     |
| Seminar Registration/Fees       | \$                 |                     |
| Misc. (Describe under comments) | \$                 |                     |
| <b>Grand Total</b>              | <b>\$ 871.79</b> ✓ |                     |

## Approval Signatures:

(7) George G Blanchard  
Employee Signature/Date

(8) Donna J. Lambert  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Allison Jenkins  
 (2) Dates of Travel: 5/9/10 - 5/13/10  
 (3) Destination: Tampa/Sarasota, FL  
 (4) Purpose: Mercury Forum - Gulf of Mexico Alliance  
 (5) Reimbursing Organization: Mote Marine Lab

## (6) Itemized Expenses:

| Description                     | Total                      | Additional Comments                           |
|---------------------------------|----------------------------|---|
| Fares:                          | \$ <u>      </u>           |   |
| Public Transportation           | \$ <u>      </u>           |   |
| Rental Car                      | \$ <u>64.20</u>            |   |
| Air                             | \$ <u>286.60</u>           |   |
| Meals                           | \$ <u>82.19</u>            |   |
| Lodging                         | \$ <u>143.84</u>           | <u>\$ 2 of 3 nights direct billed to Mote</u> |
| Parking                         | \$ <u><del>26.40</del></u> |   |
| Other:                          | <u>21.00 pg</u>            |   |
| Business Telephone Calls        | \$ <u>      </u>           |   |
| Personal Vehicle Mileage        | \$ <u>25.81</u>            |   |
| Seminar Registration/Fees       | \$ <u>      </u>           |   |
| Misc. (Describe under comments) | \$ <u>5.40</u>             | <u>tolls on 130</u>                           |
| Grand Total                     | <u>\$ 629.04</u> ✓         |   |

## Approval Signatures:

(7) [Signature] 6/8/10  
 Employee Signature/Date  
 (8) [Signature] 6-8-10  
 Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.



# DECLARATION OF THIRD-PARTY REIMBURSEMENT

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(1) Employee's Name: Richard Seiler

(2) Dates of Travel: 4-20-10 to 4-23-10

(3) Destination: Phoenix, Arizona

(4) Purpose: Meeting of the Natural Resource Damages (NRD) Focus  
Group of the Association of State Fish and Wildlife  
Agencies and with NRD staff from the NOAA and DOI

(5) Reimbursing Organization = NOAA National Oceanic and Atmospheric Administration  
(6) Itemized Expenses:

| Description                     | Total         | Additional Comments   |
|---------------------------------|---------------|-----------------------|
| Fares:                          | \$ 32.00      | Airport Shuttle x 2   |
| Public Transportation           | \$            |                       |
| Rental Car                      | \$            |                       |
| Air                             | \$ <375.19>   | Paid up front by NOAA |
| Meals                           | \$ 164.50     |                       |
| Lodging                         | \$ 434.49     |                       |
| Parking                         | \$ 28.00      |                       |
| Other:                          |               |                       |
| Business Telephone Calls        | \$            |                       |
| Personal Vehicle Mileage        | \$ \$22.50    |                       |
| Seminar Registration/Fees       | \$            |                       |
| Misc. (Describe under comments) | \$ 50.00      | Check Baggage Fee x 2 |
| Grand Total                     | \$ 1,106.68 ✓ |                       |

Approval Signatures:

(7) R. Seiler 6-10-10

Employee Signature/Date

(8) Muel S. [Signature] 6-14-10

Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: SONIA SIMMONS  
(2) Dates of Travel: 5/2 – 5/7/2010  
(3) Destination: OAK RIDGE, TN  
(4) Purpose: COURSE: ENVIRONMENTAL MONITORING FOR RADIOACTIVITY  
(5) Reimbursing Organization: NUCLEAR REGULATORY COMMISSION

## (6) Itemized Expenses:

| Description                     | Total       | Additional Comments                          |
|---------------------------------|-------------|--|
| Fares:                          | \$          |  |
| Public Transportation           | \$          |  |
| Rental Car                      | \$          |  |
| Air                             | \$          |  |
| Meals                           | \$ 253.00   |  |
| Lodging                         | \$ 450.00   |  |
| Parking                         | \$          |  |
| Other:                          |             |  |
| Business Telephone Calls        | \$          |  |
| Personal Vehicle Mileage        | \$ 24.00    | MILEAGE TO & FROM ABIA                       |
| Seminar Registration/Fees       | \$          |  |
| Misc. (Describe under comments) | \$ 116.40   | BAGGAGE FEES (\$50.00) HOTEL TAXES (\$66.40) |
| Grand Total                     | \$ 843.40 ✓ |  |

## Approval Signatures:

(7) Sonia Simmons 5/28/10  
Employee Signature/Date

(8) [Signature] 5/28/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

## DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Susan M. Jablonski

(2) Dates of Travel: March 1-2, 2010

(3) Destination: Rockville, Maryland


(4) Purpose: Represent the State of Texas and provide presentation at the U.S. Nuclear Regulatory Commission Briefing on Uranium Recovery (Mining) Regulation

(5) Reimbursing Organization: U.S. Nuclear Regulatory Commission

### (6) Itemized Expenses:

| Description                     | Total                                     | Additional Comments             |
|---------------------------------|---|---------------------------------|
| Fares:                          | \$  |                                 |
| Public Transportation           | \$  |                                 |
| Rental Car                      | \$ 42.61                                  |                                 |
| Air                             | \$ (849.14)                               | Paid directly by U.S. NRC       |
| Meals                           | \$ 114.01                                 | GSA Per diem is \$71/day        |
| Lodging                         | \$ 255.38                                 |                                 |
| Parking                         | \$ 15.00                                  |                                 |
| Other: Fuel for rental          | 9.55                                      |                                 |
| Business Telephone Calls        | \$  |                                 |
| Personal Vehicle Mileage        | \$ 25.25                                  | 22 miles TCEQ + 28.5 miles home |
| Seminar Registration/Fees       | \$  |                                 |
| Misc. (Describe under comments) | \$  |                                 |
| Grand Total                     | <u>\$ 1310.94</u><br><del>\$ 461.80</del> |                                 |

## Approval Signatures:

(7)  3/31/10  
Employee Signature/Date

(8)  4/5/10  
Supervisor Signature/Date


The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.


# Texas Commission On Environmental Quality


## INTEROFFICE MEMORANDUM

**To:** Commissioners  
Mark R. Vickery, P.G.  
Executive Director

Date: June 25, 2010

**From:**  Kasey Feldman, Personnel Attorney  
General Law Division

 David Timberger, Director  
General Law Division

 Stephanie Bergeron Perdue, Deputy Director  
Office of Legal Services

**Caption:** **Docket No. 2010-0847-MIS.** Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 of the Government Code provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90<sup>th</sup> day after the date the gift is accepted. Chapter 575 of the Government Code further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

A list of gifts and donations is attached as Exhibit "B." A Declaration of Third Party Reimbursement form is submitted for each gift or donation listed in Exhibit "B." The Declaration of Third Party Reimbursement forms are attached as Exhibit "C." The Executive Director's approval memorandum is attached as Exhibit "D."

### Attachments

Exhibit "A" - Chapter 575 of the Government Code

Exhibit "B" - List of Gifts and Donations

Exhibit "C" - Declaration of Third Party Reimbursement Forms for supporting documentation

Exhibit "D" - Executive Director's approval memorandum

# **Exhibit A**

## **CHAPTER 575. ACCEPTANCE OF GIFT BY STATE AGENCY**

### **§ 575.001. Definitions**

In this chapter:

(1) "Gift" means a donation of money or property.

(2) "State agency" means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive or judicial branch of state government. The term does not include an institution of higher education as defined by Section 61.003, Education Code.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.002. Gifts of \$500 or More**

This chapter applies only to a gift that has a value of \$500 or more.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.003. Acceptance of Gift by State Agency Governing Board**

A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 143, § 1, eff. Sept. 1, 1999.

### **§ 575.004. Record of Gift**

A state agency that accepts a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in:

(1) the minutes of the governing board of the agency; or

(2) appropriate agency records, if the agency does not have a governing board.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### **§ 575.005. Acceptance of Gift From Party to Contested Case Prohibited**

A state agency may not accept a gift from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final under Section 2001.144. In this section, "contested case" has the meaning assigned by Section 2001.003.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

# **Exhibit B**



**TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
DECLARATION OF THIRD PARTY REIMBURSEMENT**

Over \$500.00

March 2010 through June 2010

| REIMBURSING<br>ORGANIZATION  | TRAVELERS<br>NAME | DATES OF<br>TRAVEL | DESTINATION      | PURPOSE OF TRIP   | REIMBURSED | REIMBURSED<br>TOTAL |
|--|-------------------|--------------------|------------------|---|------------|---------------------|
| Association of State<br>Drinking Water<br>Administrators (ASDWA)                   | Johnson, Nobel E. | 04/26/10-04/30/10  | Baton Rouge, LA  | EPA Region 6 area wide Multi State Quarterly<br>Training and Planning Meeting |            | \$633.96            |
|  |                   |                    |                  | Meals:  | \$86.48    |                     |
|  |                   |                    |                  | Lodging:  | \$447.48   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$100.00   |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials              | Posnick, Allan    | 03/09-03/12/10     | Jacksonville, FL | Attend Federal Facilities Managers<br>Symposium                               |            | \$750.49            |
|  |                   |                    |                  | Public Transport:   | \$45.00    |                     |
|  |                   |                    |                  | Air:  | \$264.90   |                     |
|  |                   |                    |                  | Meals:  | \$106.77   |                     |
|  |                   |                    |                  | Lodging:  | \$264.00   |                     |
|  |                   |                    |                  | Parking:  | \$28.00    |                     |
|  |                   |                    |                  | Personal Mileage:   | \$7.50     |                     |
|  |                   |                    |                  | Hotel Taxes:  | \$34.32    |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials<br>(ASTSWMO) | Forbes.Ashley     | 03/09/10-03/12/10  | Jacksonville, FL | Participate in ASTSWMO Federal Facilities<br>Managers Symposium               |            | \$884.13            |
|  |                   |                    |                  | Public Transport:   | \$58.00    |                     |
|  |                   |                    |                  | Air:  | \$332.80   |                     |
|  |                   |                    |                  | Meals:  | \$143.01   |                     |
|  |                   |                    |                  | Lodging:  | \$298.32   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$21.00    |                     |
|  |                   |                    |                  | Cab Tip & Bag Fee:  | \$31.00    |                     |

5000

|  |                      |                   |                    |   |  |            |
|--|----------------------|-------------------|--------------------|---|--|------------|
| Association of State and Tribal Waste Management Officials | Greer, David         | 03/22/10-03/25/10 | Arlington, VA      | EPA National Resources Conservation Challenge (RCC) Training Workshop           | <div>Air: \$394.80</div> <div>Meals: \$158.20</div> <div>Lodging: \$747.51</div> <div>Parking: \$28.00</div> <div>Baggage Fee: \$50.00</div> <div>Personal Mileage: \$13.30</div>                        | \$1,391.81 |
| Environmental Council of States (ECOS)                     | Blanchard, George C. | 04/19/10-04/22/10 | Chicago, IL        | National Environmental Information Exchange Network (NEIEN) National Conference |  | \$871.79   |
|  |                      |                   |                    |   | <div>Air: \$235.40</div> <div>Meals: \$116.78</div> <div>Lodging: \$491.61</div> <div>Parking: \$28.00</div>   |            |
| Mote Marine Lab  | Jenkins, Allison     | 05/09/10-05/13/10 | Tampa/Sarasota, FL | Mercury Forum-Gulf of Mexico Alliance   | <div>Rental Car: \$64.20</div> <div>Air: \$286.60</div> <div>Meals: \$82.19</div> <div>Lodging: \$143.84</div> <div>Parking: \$21.00</div> <div>Personal Mileage: \$25.81</div> <div>Tolls: \$5.40</div> | \$629.04   |

|  |                     |                   |               |   |   |            |
|--|---------------------|-------------------|---------------|---|---|------------|
| (NOAA) National Oceanic and Atmospheric Administration | Seiler, Richard     | 04/20/10-04/23/10 | Phoenix, AZ   | Meeting of the Natural Resource Damages (NRD) Focus Group of the Association of State Fish and Wildlife Agencies and with NRD staff from the NOAA and DOI | Airport Shuttle: \$32.00<br>Air: \$375.19<br>Meals: \$164.50<br>Lodging: \$434.49<br>Parking: \$28.00<br>Personal Mileage: \$22.50<br>Baggage Fees: \$50.00 | \$1,106.68 |
| Nuclear Regulatory Commission                          | Simmons, Sonia      | 05/02/10-05/07/10 | Oak Ridge, TN | Course: Environmental Monitoring for Radioactivity  | Meals: \$253.00<br>Lodging: \$450.00<br>Personal Mileage: \$24.00<br>Bag Fees & Hotel Taxes: \$116.40   | \$843.40   |
| US Nuclear Regulatory Commission                       | Jablonski, Susan M. | 03/01/10-03/02/10 | Rockville, MD | Represent the State of Texas and provide presentation at the US Nuclear Regulatory Commission Briefing on Uranium Recovery (Mining) Regulation            | Rental Car: \$42.61<br>Air: \$849.14<br>Meals: \$114.01<br>Lodging: \$255.38<br>Parking: \$15.00<br>Gas: \$9.55<br>Personal Mileage: \$25.25                | \$1,310.94 |
| Totals:  |                     |                   |               |   | \$8,422.24  | \$8,422.24 |

# **Exhibit C**

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Noble E. Johnson

(2) Dates of Travel: April 26-30, 2010

(3) Destination: Baton Rouge, LA

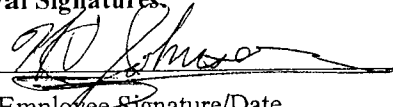
(4) Purpose: EPA Region 6 Area Wide Multi-State Quarterly Training and Planning Meeting

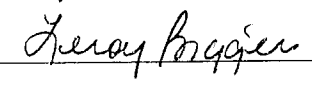
(5) Reimbursing Organization: Association of State Drinking Water Administrators (ASDWA)

## (6) Itemized Expenses:

| Description                     | Total              | Additional Comments |
|---------------------------------|--------------------|---------------------|
| <b>Fares:</b>                   | \$                 |                     |
| Public Transportation           | \$                 |                     |
| Rental Car                      | \$                 |                     |
| Air                             | \$                 |                     |
| <b>Meals</b>                    | \$ 86.48           | Meals plus gratuity |
| <b>Lodging</b>                  | \$ 447.48          | Lodging plus tax    |
| <b>Parking</b>                  | \$                 |                     |
| <b>Other:</b>                   |                    |                     |
| Business Telephone Calls        | \$                 |                     |
| Personal Vehicle Mileage        | \$ 100.00          |                     |
| Seminar Registration/Fees       | \$                 |                     |
| Misc. (Describe under comments) | \$                 |                     |
| <b>Grand Total</b>              | <b>\$ 633.96</b> ✓ |                     |

## Approval Signatures:

(7)  05/14/2010  
Employee Signature/Date

(8)  05/17/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Allan Posnick  
(2) Dates of Travel: March 9-12, 2010  
(3) Destination: Jacksonville, FL  
(4) Purpose: Attend Federal Facilities Managers Symposium  
(5) Reimbursing Organization: Association of State and Territorial Solid Waste Mgmt Officials

(6) Itemized Expenses:

| Description                     | Total       | Additional Comments |
|---------------------------------|-------------|---------------------|
| Fares:                          | \$          |                     |
| Public Transportation           | \$ 45       |                     |
| Rental Car                      | \$          |                     |
| Air                             | \$ 264.9    |                     |
| Meals                           | \$ 106.77   |                     |
| Lodging                         | \$ 264      |                     |
| Parking                         | \$ 28       |                     |
| Other:                          |             |                     |
| Business Telephone Calls        | \$          |                     |
| Personal Vehicle Mileage        | \$ 7.5      |                     |
| Seminar Registration/Fees       | \$          |                     |
| Misc. (Describe under comments) | \$ 34.32    | Hotel taxes         |
| Grand Total                     | \$ 750.49 ✓ |                     |

Approval Signatures:

(7) Alta R 5/12/10  
Employee Signature/Date

(8) Jan Wang 5/12/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

## DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

|                                 |  |   |
|---------------------------------|--|---|
| (1) Employee's Name:            | <u>Ashley Forbes</u>   |   |
| (2) Dates of Travel:            | <u>03/09/2010 through 03/12/2010</u>   |   |
| (3) Destination:                | <u>Jacksonville, FL</u>  |   |
| (4) Purpose:                    | <u>Participate in ASTSWMO Federal Facilities Managers Symposium</u>                    |   |
| (5) Reimbursing Organization:   | <u>Association of State and Territorial Solid Waste Management Officials (ASTSWMO)</u> |   |
| (6) Itemized Expenses:          |  |   |
| Description                     | Total  | Additional Comments                                     |
| Fares:                          | \$ <u>      </u>   |   |
| Public Transportation           | \$ <u>58.00</u>  |   |
| Rental Car                      | \$ <u>      </u>   |   |
| Air                             | \$ <u>332.80</u>   |   |
| Meals                           | \$ <u>143.01</u>   |   |
| Lodging                         | \$ <u>298.32</u>   |   |
| Parking                         | \$ <u>      </u>   |   |
| Other:                          |  |   |
| Business Telephone Calls        | \$ <u>      </u>   |   |
| Personal Vehicle Mileage        | \$ <u>21.00</u>  |   |
| Seminar Registration/Fees       | \$ <u>      </u>   |   |
| Misc. (Describe under comments) | \$ <u>31.00</u>  | <u>\$6.00 cab gratuity; \$25.00 airline baggage fee</u> |
| <b>Grand Total</b>              | <b>\$ <u>884.13</u> ✓</b>  |   |

Approval Signatures:

(7) Ashley Forbes 5/16/10  
Employee Signature/Date

(8) [Signature] 5/16/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on this form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: David Greer  
(2) Dates of Travel: 3/22 – 3/25/2010  
(3) Destination: Arlington, VA  
(4) Purpose: EPA National RCC Training Workshop  
(5) Reimbursing Organization: Association of State and Tribal Solid Waste Management Officials

## (6) Itemized Expenses:

| Description                     | Total        | Additional Comments |
|---------------------------------|--------------|---------------------|
| Fares:                          | \$           |                     |
| Public Transportation           | \$           |                     |
| Rental Car                      | \$           |                     |
| Air                             | \$ 394.80    |                     |
| Meals                           | \$ 158.20    |                     |
| Lodging                         | \$ 747.51    |                     |
| Parking                         | \$ 28.00     |                     |
| Other:                          | 50.00        | Airline Baggage     |
| Business Telephone Calls        | \$           |                     |
| Personal Vehicle Mileage        | \$ 13.30     |                     |
| Seminar Registration/Fees       | \$           |                     |
| Misc. (Describe under comments) | \$           |                     |
| Grand Total                     | \$ 1391.81 ✓ |                     |

## Approval Signatures:

(7) David Greer 4/19/2010  
Employee Signature/Date

(8) ECR 4/19/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

04-09-2010 02:44:01



# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: George G Blanchard

(2) Dates of Travel: April 19 – April 22, 2010

(3) Destination: Chicago

(4) Purpose: National Environmental Information Exchange Network (NEIEN) National Conference

(5) Reimbursing Organization: Environmental Council of States (ECOS)

## (6) Itemized Expenses:

| Description                     | Total              | Additional Comments |
|---------------------------------|--------------------|---------------------|
| <b>Fares:</b>                   | \$                 |                     |
| Public Transportation           | \$                 |                     |
| Rental Car                      | \$                 |                     |
| Air                             | \$ 235.40          |                     |
| <b>Meals</b>                    | \$ 116.78          |                     |
| <b>Lodging</b>                  | \$ 491.61          |                     |
| <b>Parking</b>                  | \$ 28.00           |                     |
| <b>Other:</b>                   |                    |                     |
| Business Telephone Calls        | \$                 |                     |
| Personal Vehicle Mileage        | \$                 |                     |
| Seminar Registration/Fees       | \$                 |                     |
| Misc. (Describe under comments) | \$                 |                     |
| <b>Grand Total</b>              | <b>\$ 871.79</b> ✓ |                     |

## Approval Signatures:

(7) George G Blanchard  
Employee Signature/Date

(8) Donald Lambert  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Allison Jenkins  
 (2) Dates of Travel: 5/9/10 - 5/13/10  
 (3) Destination: Tampa/Sarasota, FL  
 (4) Purpose: Mercury Forum - Gulf of Mexico Alliance  
 (5) Reimbursing Organization: Mote Marine Lab

## (6) Itemized Expenses:

| Description                     | Total                      | Additional Comments                           |
|---------------------------------|----------------------------|---|
| Fares:                          | \$ <u>      </u>           |   |
| Public Transportation           | \$ <u>      </u>           |   |
| Rental Car                      | \$ <u>64.20</u>            |   |
| Air                             | \$ <u>286.60</u>           |   |
| Meals                           | \$ <u>82.19</u>            |   |
| Lodging                         | \$ <u>143.84</u>           | <u>\$ 2 of 3 nights direct billed to Mote</u> |
| Parking                         | \$ <u><del>26.40</del></u> |   |
| Other:                          | <u>21.00 per</u>           |   |
| Business Telephone Calls        | \$ <u>      </u>           |   |
| Personal Vehicle Mileage        | \$ <u>25.81</u>            |   |
| Seminar Registration/Fees       | \$ <u>      </u>           |   |
| Misc. (Describe under comments) | \$ <u>5.40</u>             | <u>tolls on 130</u>                           |
| Grand Total                     | <u>\$ 629.04</u> ✓         |   |

## Approval Signatures:

(7) [Signature] 6/8/10  
 Employee Signature/Date  
 (8) [Signature] 6-8-10  
 Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Richard Seiler

(2) Dates of Travel: 4-20-10 to 4-23-10

(3) Destination: Phoenix, Arizona

(4) Purpose: Meeting of the Natural Resource Damages (NRD) Focus Group of the Association of State Fish and Wildlife Agencies and with NRD staff from the NOAA and DOI

(5) Reimbursing Organization: NOAA National Oceanic and Atmospheric Administration

(6) Itemized Expenses:

| Description                     | Total         | Additional Comments   |
|---------------------------------|---------------|-----------------------|
| Fares:                          | \$ 32.00      | Airport Shuttle x 2   |
| Public Transportation           | \$            |                       |
| Rental Car                      | \$            |                       |
| Air                             | \$ <375.19>   | Paid up front by NOAA |
| Meals                           | \$ 164.50     |                       |
| Lodging                         | \$ 434.49     |                       |
| Parking                         | \$ 28.00      |                       |
| Other:                          |               |                       |
| Business Telephone Calls        | \$            |                       |
| Personal Vehicle Mileage        | \$ \$22.50    |                       |
| Seminar Registration/Fees       | \$            |                       |
| Misc. (Describe under comments) | \$ 50.00      | Check Baggage Fee x 2 |
| Grand Total                     | \$ 1,106.68 ✓ |                       |

Approval Signatures:

(7) R. Seiler 6-10-10

Employee Signature/Date

(8) M. S. G. 6-14-10

Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

# DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: SONIA SIMMONS

(2) Dates of Travel: 5/2 – 5/7/2010

(3) Destination: OAK RIDGE, TN

(4) Purpose: COURSE: ENVIRONMENTAL MONITORING FOR RADIOACTIVITY

(5) Reimbursing Organization: NUCLEAR REGULATORY COMMISSION

## (6) Itemized Expenses:

| Description                     | Total       | Additional Comments                          |
|---------------------------------|-------------|--|
| Fares:                          | \$          |  |
| Public Transportation           | \$          |  |
| Rental Car                      | \$          |  |
| Air                             | \$          |  |
| Meals                           | \$ 253.00   |  |
| Lodging                         | \$ 450.00   |  |
| Parking                         | \$          |  |
| Other:                          |             |  |
| Business Telephone Calls        | \$          |  |
| Personal Vehicle Mileage        | \$ 24.00    | MILEAGE TO & FROM ABIA                       |
| Seminar Registration/Fees       | \$          |  |
| Misc. (Describe under comments) | \$ 116.40   | BAGGAGE FEES (\$50.00) HOTEL TAXES (\$66.40) |
| Grand Total                     | \$ 843.40 ✓ |  |

## Approval Signatures:

(7) Sonia Simmons 5/28/10

Employee Signature/Date

(8) [Signature] 5/28/10

Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.

## DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third-Party, this form is to be completed and forwarded to the Travel Unit, MC 181 or fax to 239-6768.

(1) Employee's Name: Susan M. Jablonski

(2) Dates of Travel: March 1-2, 2010

(3) Destination: Rockville, Maryland

(4) Purpose: Represent the State of Texas and provide presentation at the U.S. Nuclear Regulatory Commission Briefing on Uranium Recovery (Mining) Regulation

(5) Reimbursing Organization: U.S. Nuclear Regulatory Commission

### (6) Itemized Expenses:

| Description                     | Total                                     | Additional Comments             |
|---------------------------------|---|---------------------------------|
| Fares:                          | \$  |                                 |
| Public Transportation           | \$  |                                 |
| Rental Car                      | \$ 42.61                                  |                                 |
| Air                             | \$ (849.14)                               | Paid directly by U.S. NRC       |
| Meals                           | \$ 114.01                                 | GSA Per diem is \$71/day        |
| Lodging                         | \$ 255.38                                 |                                 |
| Parking                         | \$ 15.00                                  |                                 |
| Other: Fuel for rental          | 9.55                                      |                                 |
| Business Telephone Calls        | \$  |                                 |
| Personal Vehicle Mileage        | \$ 25.25                                  | 22 miles TCEQ + 28.5 miles home |
| Seminar Registration/Fees       | \$  |                                 |
| Misc. (Describe under comments) | \$  |                                 |
| Grand Total                     | <u>\$ 1310.94</u><br><del>\$ 461.80</del> |                                 |

Approval Signatures:

(7) Brian J. Galloway 3/31/10  
Employee Signature/Date

(8) Earl J. D. 4/5/10  
Supervisor Signature/Date

The employee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the (total) amount received from the reimbursing source.


# **Exhibit D**


# Texas Commission On Environmental Quality

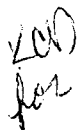
## INTEROFFICE MEMORANDUM

To: Mark R. Vickery, P.G.  
Executive Director

Date: June 25, 2010

From:  Kasey Feldman, Personnel Attorney  
General Law Division

 David Timberger, Director  
General Law Division

 Stephanie Bergeron Perdue, Deputy Director  
Office of Legal Services

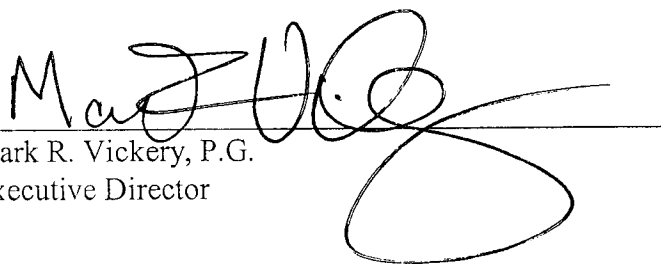
Caption: **Docket No. 2010-0847-MIS.** Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90<sup>th</sup> day after the date the gift is accepted. Chapter 575 further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

Before the Commission can acknowledge the acceptance of gifts and donations with a value of \$500 or more listed in Exhibit "B", the gifts must be accepted by the agency.

A list of gifts and donations is attached as Exhibit "B." A Declaration of Third Party Reimbursement form is submitted for each gift or donation listed in Exhibit "B." The Declaration of Third Party Reimbursement forms are attached as Exhibit "C." Your signature below is needed to "accept" the aforementioned and referenced exhibits. We recommend you sign this form and accept the gifts.

I acknowledge and accept the gifts listed in Exhibit "B", on behalf of the Texas Commission on Environmental Quality.

  
Mark R. Vickery, P.G.  
Executive Director

Date: 7-6-10



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



A RESOLUTION      Regarding acceptance of gifts and donations in accordance with Chapter 575 of the Government Code concerning acceptance of gifts and donations by certain state agencies;  
**2010-0847-MIS.**

WHEREAS, Chapter 575 of the Government Code provides that a majority of the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90<sup>th</sup> day after the date the gift is accepted.

WHEREAS, a list of gifts and donations submitted for acknowledgment is attached as Exhibit "A." The gifts have been accepted by the Executive Director. The list includes a description and amount of each gift or donation with a value of \$500.00 or more, the donor's name, and a statement regarding the purpose of each gift or donation in accordance with Section 575.004 of Chapter 575.

NOW, THEREFORE BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the Commission acknowledges acceptance of the gifts and donations listed in Exhibit "A" in accordance with Chapter 575 of the Government Code.

Issued this the \_\_\_\_ day of \_\_\_\_\_, 2010

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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Bryan W. Shaw, Ph.D., Chairman

# **Exhibit A**

**TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
DECLARATION OF THIRD PARTY REIMBURSEMENT**

Over \$500.00

March 2010 through June 2010

| REIMBURSING<br>ORGANIZATION  | TRAVELERS<br>NAME | DATES OF<br>TRAVEL | DESTINATION      | PURPOSE OF TRIP   | REIMBURSED | REIMBURSED<br>TOTAL |
|--|-------------------|--------------------|------------------|---|------------|---------------------|
| Association of State<br>Drinking Water<br>Administrators (ASDWA)                   | Johnson, Nobel E. | 04/26/10-04/30/10  | Baton Rouge, LA  | EPA Region 6 area wide Multi State Quarterly<br>Training and Planning Meeting |            | \$633.96            |
|  |                   |                    |                  | Meals:  | \$86.48    |                     |
|  |                   |                    |                  | Lodging:  | \$447.48   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$100.00   |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials              | Posnick, Allan    | 03/09-03/12/10     | Jacksonville, FL | Attend Federal Facilities Managers<br>Symposium                               |            | \$750.49            |
|  |                   |                    |                  | Public Transport:   | \$45.00    |                     |
|  |                   |                    |                  | Air:  | \$264.90   |                     |
|  |                   |                    |                  | Meals:  | \$106.77   |                     |
|  |                   |                    |                  | Lodging:  | \$264.00   |                     |
|  |                   |                    |                  | Parking:  | \$28.00    |                     |
|  |                   |                    |                  | Personal Mileage:   | \$7.50     |                     |
|  |                   |                    |                  | Hotel Taxes:  | \$34.32    |                     |
| Association of State and<br>Territorial Solid Waste<br>Mgmt Officials<br>(ASTSWMO) | Forbes.Ashley     | 03/09/10-03/12/10  | Jacksonville, FL | Participate in ASTSWMO Federal Facilities<br>Managers Symposium               |            | \$884.13            |
|  |                   |                    |                  | Public Transport:   | \$58.00    |                     |
|  |                   |                    |                  | Air:  | \$332.80   |                     |
|  |                   |                    |                  | Meals:  | \$143.01   |                     |
|  |                   |                    |                  | Lodging:  | \$298.32   |                     |
|  |                   |                    |                  | Personal Mileage:   | \$21.00    |                     |
|  |                   |                    |                  | Cab Tip & Bag Fee:  | \$31.00    |                     |

*Sold*

|  |                      |                   |                    |   |  |            |
|--|----------------------|-------------------|--------------------|---|--|------------|
| Association of State and Tribal Waste Management Officials | Greer, David         | 03/22/10-03/25/10 | Arlington, VA      | EPA National Resources Conservation Challenge (RCC) Training Workshop           | <div>Air: \$394.80<br/>Meals: \$158.20<br/>Lodging: \$747.51<br/>Parking: \$28.00<br/>Baggage Fee: \$50.00<br/>Personal Mileage: \$13.30</div>                 | \$1,391.81 |
| Environmental Council of States (ECOS)                     | Blanchard, George C. | 04/19/10-04/22/10 | Chicago, IL        | National Environmental Information Exchange Network (NEIEN) National Conference | <div>Air: \$235.40<br/>Meals: \$116.78<br/>Lodging: \$491.61<br/>Parking: \$28.00</div>  | \$871.79   |
| Mote Marine Lab  | Jenkins, Allison     | 05/09/10-05/13/10 | Tampa/Sarasota, FL | Mercury Forum-Gulf of Mexico Alliance   | <div>Rental Car: \$64.20<br/>Air: \$286.60<br/>Meals: \$82.19<br/>Lodging: \$143.84<br/>Parking: \$21.00<br/>Personal Mileage: \$25.81<br/>Tolls: \$5.40</div> | \$629.04   |

|  |               |                   |   |                         |            |            |
|--|---------------|-------------------|---|-------------------------|------------|------------|
| (NOAA) National Oceanic and Atmospheric Administration | Phoenix, AZ   | 04/20/10-04/23/10 | Meeting of the Natural Resource Damages (NRD) Focus Group of the Association of State Fish and Wildlife Agencies and with NRD staff from the NOAA and DOI | Airport Shuttle:        | \$32.00    | \$1,106.68 |
|  |               |                   |   | Air:                    | \$375.19   |            |
|  |               |                   |   | Meals:                  | \$164.50   |            |
|  |               |                   |   | Lodging:                | \$434.49   |            |
|  |               |                   |   | Parking:                | \$28.00    |            |
|  |               |                   |   | Personal Mileage:       | \$22.50    |            |
|  |               |                   |   | Baggage Fees:           | \$50.00    |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
| Nuclear Regulatory Commission                          | Oak Ridge, TN | 05/02/10-05/07/10 | Course: Environmental Monitoring for Radioactivity  | Meals:                  | \$253.00   | \$843.40   |
|  |               |                   |   | Lodging:                | \$450.00   |            |
|  |               |                   |   | Personal Mileage:       | \$24.00    |            |
|  |               |                   |   | Bag Fees & Hotel Taxes: | \$116.40   |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
| US Nuclear Regulatory Commission                       | Rockville, MD | 03/01/10-03/02/10 | Represent the State of Texas and provide presentation at the US Nuclear Regulatory Commission Briefing on Uranium Recovery (Mining) Regulation            | Rental Car:             | \$42.61    | \$1,310.94 |
|  |               |                   |   | Air:                    | \$849.14   |            |
|  |               |                   |   | Meals:                  | \$114.01   |            |
|  |               |                   |   | Lodging:                | \$255.38   |            |
|  |               |                   |   | Parking:                | \$15.00    |            |
|  |               |                   |   | Gas:                    | \$9.55     |            |
|  |               |                   |   | Personal Mileage:       | \$25.25    |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   |   |                         |            |            |
|  |               |                   | Totals:   | \$8,422.24              | \$8,422.24 |            |
|  |               |                   |   |                         |            |            |